

PUBLIC REPORT/PERMIT**AMENDMENT/RENEWAL APPLICATION (*time-share*)**

RE 635C Part II (Rev. 5/03)

INSTRUCTIONS

- ✓ The fee entitles you to one copy of each public report/permit. Reproduction procedures will be furnished with the report.
- ✓ Each exhibit to be two-hole punched on top and tabbed on right-hand edge to match item number.
- ✓ References to the Business and Professions Code will be noted as B&P Code.
- ✓ Complete and submit this form to: Department of Real Estate, Subdivisions Office — Technical Unit, P.O. Box 187005, Sacramento, CA 95818-7005
- ✓ A separate RE 635C must be completed and fee paid for each single-site or each location of a multi-site offering subject to amendment or renewal.
- ✓ B&P Code Sections 11003.5(f) and (h) define the terms "single-site" and "multi-site" time-share projects.

1. THIS APPLICATION IS FOR A: [CHECK BOX(ES)]

- ☐ RENEWAL ☐ AMENDMENT
☐ NOTICE OF INTENTION AND STATEMENT OF PURCHASER OF 12 OR MORE INTERESTS

2. TYPE OF SUBDIVISION [CHECK BOXES]

- ☐ TIME-SHARE ESTATE ☐ IN-STATE
☐ TIME-SHARE USE ☐ OUT-OF-STATE
☐ SINGLE-SITE ☐ MULTI-SITE
☐ FIXED UNIT, FIXED TIME ☐ VARIABLE UNIT, FIXED TIME
☐ FIXED UNIT, VARIABLE TIME ☐ VARIABLE UNIT, VARI. TIME
☐ ANNUAL USES ☐ BIENNIAL USES
☐ SEASONAL USES (EXPLAIN BELOW) ☐ POINTS SYSTEM
☐ POINTS SYSTEM EQUIVALENT TO _____ WEEKS/INTERVALS

TERM

- ☐ IN PERPETUITY ☐ OTHER (EXPLAIN BELOW)

EXPLANATIONS

3. CHECK THE APPROPRIATE BOXES:

- ☐ I HAVE ACQUIRED _____ TIME-SHARE INTERESTS IN THIS SUBDIVISION.
☐ I AM ADDING _____ UNITS CONTAINING _____ TIME-SHARE INTERESTS TO THIS SUBDIVISION.
☐ I HAVE ACQUIRED _____ POINTS EQUIVALENT TO _____ WEEKS.
☐ I AM ADDING _____ POINTS EQUIVALENT TO _____ WEEKS.

4. INTERESTS

TOTAL NUMBER OF TIME-SHARE INTERESTS/POINTS IN SUBDIVISION

NO. OF TIME-SHARE INTERESTS/POINTS TO BE COVERED BY THIS AMEND./RENEWAL

5. SUBDIVISION IDENTIFICATION AND LOCATION

NAME OF SUBDIVISION

TRACT NUMBER

NAME TO BE USED IN ADVERTISING

SUBDIVISION LOCATION (ADDRESS/MAIN ACCESS ROADS/CROSS STREETS)

For Office Use Only

DATE RECEIVED

FILE NUMBER

AMOUNT REQUIRED

\$

AMOUNT RECEIVED

\$

REFUND AMOUNT

\$

CITY

COUNTY

NEAREST TOWN/CITY

STATE

MASTER DRE FILE NO. (IF ANY) (APPLIES TO SUBSEQUENT PHASES ONLY)

DEPUTY ASSIGNED TO MASTER FILE

6. SIZE OF THIS FILING

NUMBER OF RESIDENTIAL UNITS (DO NOT COUNT COMMON AREA LOTS)

7. SUBDIVIDER INFORMATION

NAME

ATTENTION

ADDRESS

CITY

STATE

ZIP CODE

TELEPHONE NUMBER

(INCLUDE AREA CODE)

8. SINGLE RESPONSIBLE PARTY (SRP)

NAME

ATTENTION

ADDRESS

CITY

STATE

ZIP CODE

TELEPHONE NUMBER

(INCLUDE AREA CODE)

9. NAME OF BUDGET PREPARER (IF APPLICABLE)

WHEN PUBLIC REPORT/PERMIT IS READY:

☐ MAIL TO SRP☐ CALL SRP FOR PICK UP

10. SUBDIVISION SALES RECORDS

Will the location of the sales records remain the same? ☐ Yes ☐ No

If NO or new owner, complete the following:

NAME OF CUSTODIAN		TELEPHONE NUMBER
STREET ADDRESS		
CITY	COUNTY	ZIP CODE

11. ALWAYS SUBMIT THE FOLLOWING

- A. Ten self-sticking address labels for the single responsible party for this project.
- B. Filing fee attached to a photocopy of page 1 of RE 635C Part II.
- C. Current Title – Submit a current (issued within 90 days of submittal) preliminary report signed by a title officer, updated title letter, or policy of title insurance covering all interests owned. The DRE Special Note must be included on the title document and the issue date must be within 90 days of the issue date of the amendment/renewal. If applicant does not currently hold title, also submit evidence of future vesting including a date certain by which title must be conveyed.
- D. Budget Information, item 17.

12. PUBLIC REPORT / PERMIT CHANGES AND CURRENT INFORMATION

I am familiar with the contents of DRE Subdivision File No. _____. I have examined the public report/permit which has an original issuance date of _____ and the last amendment dated _____. The offering to be made under authority of this amended public report/permit includes only the following changes in the terms, provisions and documents used in the offering as contained in the subdivision file and the most recently issued public report/permit. (Enumerate, describe and append documents, as necessary, to explain/show the changes in the offering. See Regulation 2810.6 for a listing of material changes.)

- ❖ • Report changes necessary to show current conditions.
- Attach additional sheets if more space is required and indicate attachment.
- If there are no changes to filing, so state.
- Attach a copy of the most recently issued or amended public report/permit for this subdivision.
- All supporting exhibits must be referenced and explained below or on an attachment.

13. ADDING TIME-SHARE INTERESTS

- A. Are time-share interests being added at this time? ☐ Yes ☐ No

If YES, indicate the section within the declaration wherein the approval of the association is not required, or submit a resolution of the association board of directors which sets forth the percentage for the non-subdivider members of the association who approved the addition of time-share interests at this time.

14. DOCUMENT CHANGES

- ❖ If you checked the box for “Notice of Intention and Statement by Purchaser of 12 or more interests” under item 1 on page 1, always submit items 14A, 14D, and 14E.

- A. Are there any changes from the last submitted escrow instructions, to include change in escrow companies? ☐ Yes ☐ No

If YES, submit new exemplar escrow instructions completed in sample form and certified by the applicant and escrow holder that all escrows will be in substantial conformance with the exemplar submitted.

- 1) Do the last submitted escrow instructions include a clause which provides for a return of funds to a non-defaulting buyer if escrow does not close within a stipulated period of time? ☐ Yes ☐ No

If NO, submit revised escrow instructions which include such a clause, with changes identified for review. (Escrow instructions must be certified by subdivider and escrow officer.)

- 2) Does the applicant, or applicant's agent, have a 5%, or greater, interest in the escrow company? ☐ Yes ☐ No

- 3) Is this an application for an amended preliminary public report/permit? ☐ Yes ☐ No

- B. Are there any changes/amendments to the management documents since last submittal?

- 1) CC&Rs ☐ Yes ☐ No

- 2) Bylaws ☐ Yes ☐ No

- 3) Articles ☐ Yes ☐ No

- 4) Rules & Regulations ☐ Yes ☐ No

If YES, submit copy of changed/amended document, with changes identified, for review.

- C. Are there any changes to the condominium plan since last submittal? (Answer NO if this is not a condominium project.) ☐ Yes ☐ No

If YES, submit a copy of the revised condominium plan for review.

- D. Have there been any changes to the deposit receipt/agreement to purchase since last submittal? ☐ Yes ☐ No

If YES, submit an exemplar document completed in sample form signed by the applicant, with changes identified for review.

- E. Have there been any changes to the grant deed since last submittal? ☐ Yes ☐ No

If YES, submit a new exemplar grant deed for review.

- F. Have there been any changes to the management agreement or fidelity bond since last submittal? ☐ Yes ☐ No

If YES, submit new or revised document. All revisions to be identified for review.

- ❖ A change of management agents or addition of interests or increase in assessments may require a change in the existing fidelity bond.

- G. Have there been any annexations of lots/units to the subdivision since issuance of the latest public report/permit? ☐ Yes ☐ No

If YES, submit details and documentation.

- H. Have there been any changes to any trust agreement? ☐ Yes ☐ No ☐ NA

If YES, submit new or revised document. All revisions to be identified for review.

- I. Have there been any changes to the lease of furnishings or bill of sale? ☐ Yes ☐ No

If YES, submit new or revised document. All revisions to be identified for review.

- J. Are there any other document changes? ☐ Yes ☐ No

If YES, identify and submit new/revised document.

15. UTILITIES/SERVICES/HAZARDS

- A. Were any of the following utilities or services not installed as of the date of issuance of the current public report/permit? ☐ Yes ☐ No

If YES, indicate which such facilities are now completed by checking the appropriate boxes below:

	<i>N/A</i>	<i>Now Completed</i>	<i>Not Completed</i>
1) Water	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) Electricity	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Telephone	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Sewage disposal	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) Streets and roads	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6) Gas	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7) Other: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- B. Does the latest public report/permit state that there are roads within the subdivision which are to be dedicated and/or maintained by a public agency or entity, but that such dedication or maintenance had not occurred? ☐ Yes ☐ No ☐ NA
- 1) If YES to item 15B, has the dedication of all such roads now been made and accepted? ☐ Yes ☐ No ☐ NA
- 2) If YES to item 15B, have the roads, which have been dedicated, also been accepted for maintenance? ☐ Yes ☐ No ☐ NA
- 3) If NO to either item 15B (1) or (2) above, submit current information, if different from the information in the latest public report/permit, as to when dedication and/or maintenance will begin and how roads will be maintained until public maintenance begins.
- C. Subsequent to issuance of the latest public report/permit, were any districts (e.g., special districts, assessment districts, community facilities districts, etc.) created which have the power to tax or levy assessments; or are any currently being created; or has there been a change in the fees or fee structure? ☐ Yes ☐ No
- If YES, has the project been annexed to any such district or is annexation imminent? . ☐ Yes ☐ No ☐ NA
- If YES, submit RE 624C or the equivalent information as applicable.
- What is the current tax rate? _____ (rate) _____ (tax yr.)
- D. Is the water supplier a mutual water company? ☐ Yes ☐ No
- 1) If YES, was the mutual water company formed prior to January 1, 1998? ☐ Yes ☐ No ☐ NA
- a) If YES, submit either a copy of the current permit to issue shares granted by the Department of Corporations or all of the items under (b) below.
- b) If NO, submit all of the following:
- Executed RE 699B (Mutual Water Company Certification);
 - A copy of the certificate of the State Director of Health Services as required by Sections 116300 to 116385 of the Health and Safety Code;
 - A copy of the statement signed either by the engineer who prepared the engineer's report pursuant to Section 14312(a)(7) of the Corporations Code or a person employed or acting on behalf of the public agency or other independent qualified person, that the water supply and distribution system has been examined and tested and operates in accordance with the design standards of Chapter 2, Part 7 of Division 3, Title 1 of the Corporations Code; and
 - Evidence of completion of the water supply and distribution system which will serve all lots to be covered by the public report.
- 2) Will purchaser have to pay to acquire shares? ☐ Yes ☐ No ☐ NA
- If Yes, state an estimate of the total per interval cost to secure water service: \$ _____
- E. Does the subject project include residential structures built prior to 1978 (do not included properties sold at a foreclosure sale or housing designated for the elderly)? ☐ Yes ☐ No

If YES, pursuant to federal Real Estate Disclosure and Notification Rule (24 CFR Part 35 and 40 CFR Part 745), the seller is required to disclose to prospective buyers that this property may contain lead-based paint and/or lead-based paint hazards as well as provided certain written materials as mandated by current law. The seller is required to offer all prospective buyers an opportunity to conduct a risk assessment for lead-based paint and lead-based paint hazards prior to being obligated under a purchase contract. This risk assessment may be waived by written agreement between buyer and seller. Federal law also requires that the purchase contract include an addendum containing certain seller disclosures, purchaser's acknowledgment of receipt of the disclosures, and confirmation that purchaser has received or waived an opportunity to conduct a lead-based paint risk assessment. A sample disclosure form is included in the new statutes which may be used as the contract addendum. For more information on seller's obligations, you should contact the local office of the Environmental Protection Agency.

- F. Does this subdivision lie within the boundaries of land classified as State Responsibility Area (wildland area that may contain substantial forest fire risks and hazards) as determined by the California State Board of Forestry pursuant to Section 4125 of the Public Resources Code?

☐ Yes ☐ No ☐ NA

Note: Maps of State Responsibility Areas should be on file with the County Planning Department or County Assessor's Office.

Note: Check NA, if this subdivision is located in any of the following counties: Kern, Los Angeles, Marin, Orange, San Francisco, Santa Barbara, Sutter or Ventura.

- 1) If YES, has a will-serve letter already been submitted for this file from the fire protection agency, if any, providing structural fire protection and a will-serve letter from the appropriate Ranger Unit of the California Department of Forestry as to wildland fire protection?

☐ Yes ☐ No ☐ NA

If NO, submit.

- G. 1) Is any part of this subdivision located within a *Special Flood Hazard Area* (any type Zone "A" or "V") as designated by the Federal Emergency Management Agency (FEMA)?

☐ Yes ☐ No
☐ Do not know and information not available from local jurisdiction*
☐ No Change

If YES, pursuant to Government Code Section 8589.3, the seller shall disclose to any prospective purchaser of property within a *Special Flood Hazard Area* the fact that the property is within this Area.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within a *Special Flood Hazard Area* as designated by the Federal Emergency Management Agency. Additionally, the subdivider has advised that prospective purchasers within this Area will be provided a separate disclosure required under Government Code Section 8589.3.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 2) Is any part of this subdivision located within an *Area of Potential Flooding* shown on an inundation map designated pursuant to Government Code Section 8589.5?

☐ Yes ☐ No
☐ Do not know and information not available from local jurisdiction*
☐ No Change

If YES, pursuant to Government Code Section 8589.4, the seller shall disclose to any prospective purchaser of property within an *Area of Potential Flooding* shown on an inundation map the fact that the property is within this Area.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within an *Area of Potential Flooding* as shown on an inundation map. Additionally, the subdivider has advised that prospective purchasers within this Area will be provided a separate disclosure required under Government Code Section 8589.4.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 3) Is any part of this subdivision located within a *Very High Fire Hazard Severity Zone* as designated under the requirements of Government Code Section 51179?

☐ Yes ☐ No
☐ No Change

If YES, pursuant to Government Code Section 51183.5, the seller shall disclose to any prospective purchaser of property within a *Very High Fire Hazard Severity Zone* the fact that the property is within this Zone and is subject to the requirements of Section 51182.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within a *Very High Fire Hazard Severity Zone*. Additionally, the subdivider has advised that prospective purchasers within this Zone will be provided a separate disclosure required under Government Code Section 51183.5.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 4) Is any part of this subdivision located within a *State Responsibility Area* (wildland area that may contain substantial forest fire risks and hazards) as determined by the California State Board of Forestry pursuant to Public Resources Code Section 4125?

☐ Yes ☐ No
☐ No Change

If YES, pursuant to Public Resources Code Section 4136, the seller shall disclose to any prospective purchaser of property within a *State Responsibility Area* the fact that the property is within this Area and is subject to the requirements of Section 4291.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within a *State Responsibility Area* (wildland area that may contain substantial forest fire risks and hazards) as determined by the

California State Board of Forestry. Additionally, the subdivider has advised that prospective purchasers within this Area will be provided a separate disclosure required under Public Resources Code Section 4136.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 5) Is any part of this subdivision located within a delineated *Earthquake Fault Zone* pursuant to the Alquist-Priolo Earthquake Fault Zoning Act?

☐ Yes ☐ No
☐ No Change

If YES, pursuant to Public Resources Code Section 2621.9, the seller shall disclose to any prospective purchaser of property within a delineated *Earthquake Fault Zone* the fact that the property is within this Zone.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within an *Earthquake Fault Zone*. Additionally, the subdivider has advised that prospective purchasers within this Zone will be provided a separate disclosure required under Public Resources Code Section 2621.9.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- 6) Is any part of this subdivision located within a *Seismic Hazard Zone* pursuant to the Seismic Hazards Mapping Act (Public Resources Code Sections 2690-2699.6)? ...

Landslide Zone
☐ Yes ☐ No
 Liquefaction Zone
☐ Yes ☐ No
☐ Map not yet released by state*
☐ No Change

If YES, pursuant to Public Resources Code Section 2694, the seller shall disclose to any prospective purchaser of property within a *Seismic Hazard Zone* the fact that the property is within this Zone.

If YES, the public report will contain the following note under the section entitled "Hazards":

The subdivider has advised that all or portions of the subdivision subject to this Public Report are located within a *Seismic Hazard Zone*. Additionally, the subdivider has advised that prospective purchasers within this Zone will be provided a separate disclosure required under Public Resources Code Section 2694.

If any disclosure, or any material amendment to any disclosure, required to be made by the subdivider regarding this natural hazard is delivered after the execution of an offer to purchase, the purchaser shall have three days after delivery in person or five days after delivery by deposit in the mail to terminate the offer by delivery of a written notice of termination to the subdivider or the subdivider's agent.

- * **Future changes which place any part of the unsold lots/units in this subdivision within a natural hazard area will be considered a material change requiring the filing of an amended public report application.**

- 7) As a result of any hazard area listed above, has there been (or will there be) an increase of 20% or more in the regular assessment amount reflected in the current public report charged by the Association against owners? ☐ Yes ☐ No

If YES, submit the items listed in Q17.

- H. 1) Are you aware, or have any reason to believe, that the subject property contains any rock material which includes natural occurrences of asbestos? ☐ Yes ☐ No

Note: Serpentine rock may include asbestos fibers.

- 2) Is the property covered by a State prepared map indicating the likelihood of the presence of natural occurrences of asbestos? ☐ Yes ☐ No

Note: You may wish to contact the State Department of Conservation, Division of Mines and Geology for information regarding available maps.

- 3) Has any geologic testing been conducted on the property for the purpose of identifying the presence of asbestos fibers? ☐ Yes ☐ No

If yes, did the results indicate that asbestos fibers are present? ☐ Yes ☐ No

Note: A YES response to 14I(1) or 14I(2) above will result in a public report disclosure regarding the possibility that this subdivision contains natural occurrences of asbestos, unless geologic testing is/has been conducted on the property and it is/was determined that the subdivision does not contain naturally occurring asbestos.

16. COMPLETION INFORMATION

- A. 1) Were all common area improvements, including residential units, completed when the last public report/permit was issued? ☐ Yes ☐ No

- 2) If NO, are all common area improvements, including residential units, now completed (§11018.5 of the B&P Code)? ☐ Yes ☐ No

a) If YES, submit notice of completion/certificate of occupancy. Identify the improvements completed.

b) If NO, demonstrate compliance with §11018.5 of the B&P Code. List the improvements which have not been completely installed and attach a progress report certified by a registered engineer or contractor listing those specific areas of the project in which improvements have been installed. Also list the expected date for complete installation of each improvement.

- B. If any of the common area is to be owned by the homeowners association, has it been deeded to the homeowners association? ☐ Yes ☐ No ☐ NA

If NO, submit explanation as to why this has not yet occurred and submit exemplar conveyance document(s).

17. BUDGET REVIEW

- A. Has there been an increase of 20% or more in the regular assessment amount reflected in the current public report/permit charged by the association against owners? ☐ Yes ☐ No

- B. Are there delinquencies in the payment of regular assessments by owners in the subdivision resulting in the receipt by the association of income which is more than 10% less than scheduled income from such assessments? ☐ Yes ☐ No
- C. Has the association failed to establish and fund long-term reserves for future maintenance and replacements as reflected in the current public report/permit or has it used the reserves for current operating expenses? ☐ Yes ☐ No
- D. Was the last review of the association budget over 18 months prior to submission of this application? ☐ Yes ☐ No
- E. Have there been any changes in the budget line items previously deemed acceptable by the Department? ☐ Yes ☐ No
- F. If YES to 17A, B, C, D or E, submit a written explanation and the documentation listed in 1 through 4d below. (Duplicate in DBP.)
- 1) The association's financial statements for the past year or from start-up, whichever is less, and a year-to-date statement. (If the reserve study, item 4 below, is not available, submit financial statements for the past three years, or from start-up, whichever is less.) This should include the auditors report or notes attached to the financial statement.
 - 2) A copy of the association's current budget. If the association has approved the budget for the next fiscal year, also include next year's budget and indicate the commencement date for the fiscal year. This should include breakdown by interval and unit size, if applicable.
 - 3) A statement from the association showing the dollar amount of past due assessments for the entire subdivision. The statement should indicate what assessments are due from the subdivider or should indicate that the subdivider is current in assessment payments. If the subdivider is paying through a deficit subsidy program, a schedule of payments should be included.
 - 4) A copy of the following information which is required to be distributed to the membership, commonly referred to as a reserve study:
 - a) Estimated revenue and expense on an accrual basis.
 - b) The amount of the total cash reserves of the association currently available for replacement or major repair of common facilities and for contingencies.
 - c) An itemized estimate of remaining life of, and the methods of funding to defray the costs to repair, replace or add to, major components of the common areas and facilities for which the association is responsible.
 - d) A general statement setting forth the procedures used by the association's governing body in the calculation and establishment of reserves to defray the costs to repair, replace, or add to, major components of the common areas and facilities for which the association is responsible.
- G. Submit evidence of compliance with Regulation 2812.3 to assure the subdivider's payment of assessments for all interests covered by the final public report. DRE forms are available for security instruments and related agreement and escrow instructions. The amount of the security must be deemed acceptable by the Department of Real Estate. Submit the proposed instruments, if other than **unmodified** RE forms will be used.

18. BOARD RESOLUTION

- A. Submit a resolution of the board of directors which addresses the following issues: (Not applicable if submitted with a prior application.)
- 1) The date of the first closing of an escrow for the sale of an interest in the project.
 - 2) The date and place of the first annual members' meeting.
 - 3) The number of association members present in person or by proxy at such first members' meeting and the classification of these members as Class "A" or Class "B" members.
 - 4) The names and addresses of the present board members, the date each was elected and the vote of Class "A" and Class "B" members by which each was elected. (See Regulation 2813.1 and the association bylaws.)
 - 5) The name and address of the board member who was elected solely by a vote of the Class "A" members and date such member was elected.

19. SUBSIDY/MAINTENANCE AGREEMENT

- A. Will any of the costs of operating and maintaining common areas and providing common services be subsidized in any manner by the subdivider? Respond "NA" if program previously approved and there are no changes.

☐ Yes ☐ No ☐ NA

If YES, submit evidence of compliance with Regulation 2812.4, Subsidization by Subdivider, including the following in proposed form:

- 1) Financial guarantee.
- 2) Contract for subsidy and/or maintenance.
- 3) Agreement and escrow instructions.
- 4) Description of the accounting procedure for non-cash subsidy arrangement.

❖ DRE forms may be available for security instruments and escrow instructions.

20. FINANCING

- A. Will the buyer be offered financing by other than a state or federally regulated lender? Respond NA if previously approved and there are no changes.

☐ Yes ☐ No ☐ NA

If YES, submit exemplar promissory note(s) and deed(s) of trust completed in sample form.

- B. Will you be negotiating, arranging, or helping purchasers obtain any adjustable or variable rate loans offered by a state or federally regulated lender?

☐ Yes ☐ No ☐ NA

- C. Will you be offering loans with balloon payments, subsidized interest and loan payments, "creative financing" plans, equity sharing plans, any type of "affordable housing" financing or other similar financial programs? Respond NA if previously approved and there are no changes.

☐ Yes ☐ No ☐ NA

If YES, submit all details along with documents (including fact sheets, if any, for approval) which will be used.

- D. Are sales in this subdivision subject to the requirements of §2957 or 2963 of the Civil Code?

☐ Yes ☐ No

21. EXCHANGE PROGRAM

- A. Does the offering include an “exchange program” which is a method, arrangement or procedure for the voluntary exchange of the right to use and occupy accommodations and facilities among purchasers of time-share interests or other property interests, wherein the purchaser's total contractual financial obligation is less than three-thousand dollars (\$3,000) per time-share interest, other than any assignment of rights pursuant to a reservation system? [Refer to B&P Code Section 11003.5(d)] ☐ Yes ☐ No ☐ NA

Respond NA if previously approved and there are no changes.

If YES, provide responses and exhibits under 21 B1–13 below.

B. 1) Exchange Company

NAME
ADDRESS

- 2) Submit a copy of the form of agreement between the exchange company and the purchaser.
- 3) Submit a copy of any materials which will be used in promoting the exchange program.
- 4) Does the exchange company or any of its officers or directors have any legal or beneficial interest in the developer, seller, or managing entity for any time-share project participating in the exchange program? ☐ Yes ☐ No

If YES, identify the project and the nature of the interest.

- 5) Is the purchaser's participation in the exchange program dependent upon the continued affiliation of this time-share project with the exchange program? ☐ Yes ☐ No

If YES, please explain:

- 6) Describe the terms and conditions of the purchaser's contractual relationship with the exchange program and the procedure by which changes thereto may be made.

-
-
-
- 7) Describe the procedures necessary to qualify for and effectuate exchanges under the exchange program.

8) Under the exchange program, are exchanges arranged on a space-available basis? ☐ Yes ☐ No

9) Under the exchange program, are any guarantees of fulfillment of specific requests for exchanges made? ☐ Yes ☐ No

10) Under the exchange program, may an owner of a time-share interest, in dealing with the exchange program, lose the right to use and occupy an accommodation of a time-share project during a reserved use period with respect to any properly applied for exchange without his or her being provided with substitute accommodations by the exchange program? ☐ Yes ☐ No

If YES, please identify the circumstances under which the owner might lose this right.

-
-
-
-
- 11) Describe the standard fees for participation by owners in the exchange program.
-
-
-
-

12) May any of the fees described in 21(B11) above be altered by the exchange company? ☐ Yes ☐ No

If YES, under what circumstances may such alterations be made.

13) Please submit the name and address of the site of each accommodation or facility included within the exchange program. If the exchange company publishes a directory which provides such information, submission of a copy of the directory will suffice.

22. INCIDENTAL BENEFITS

- A. Does the offering include “incidental benefits” in which there is an accommodation, product, service, discount, or other benefit, other than an exchange program, which is offered to a prospective purchaser of a time-share interest prior to the end of the rescission period set forth in B&P Code Section 11024, the continuing availability of which for the use and enjoyment of owners of time-share interests in the time-share project is limited to a term of not more than five years? [Refer to B&P Code Section 11003.5(e)] ☐ Yes ☐ No ☐ NA

Respond NA if previously approved and there are no changes.

If YES, please describe each incidental benefit, including any user fees or costs associated therewith, and any restrictions upon use or availability.

If the reply to 22 above is YES, complete 22 B–D below.

- B. Will the continued availability of any incidental benefit for the use and enjoyment of owners of time-share interests be necessary in order for any accommodation or facility which is not an incidental benefit to be used, occupied, or enjoyed by the owners in a manner consistent in all material respects with the plan of use and enjoyment set forth in the time-share documents or represented by or on behalf of the subdivider, in writing in a purchaser's purchase contract, in the permit, or in any advertisement or promotion, or otherwise? ☐ Yes ☐ No

If YES, provide an explanation below. If yes, these benefits may not qualify under B&P Code Section 11018.9.

- C. Will the use of or participation in any incidental benefit by an owner of a time-share interest be completely voluntary, and payment of any fee or other cost associated with the incidental benefit be required only upon that use or participation? ☐ Yes ☐ No

If NO, provide an explanation below. If no, these benefits may not qualify under B&P Section 11018.9.

- D. Will any costs of acquisition, operation, maintenance, or repair of any incidental benefit be passed on to purchasers of time-share interests in the time-share project as common expenses of the time-share project? ☐ Yes ☐ No

If YES, provide an explanation below. If yes, these benefits may not qualify under B&P Section 11018.9.

- ❖ Any benefits which do not qualify under B&P Code Section 11018.9 may be considered part of the time-share offering subject to Sections 11018 and 11018.5.

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and run across the width of the page. There are no margins, text, or other markings on the paper.

23. SINGLE-SITE PROJECT WITH COMPONENT SITE

- A. Is this a single-site time-share offering, meeting the definition of B&P Code 11003.5(h), with one or more component sites affiliated through a reservation system? ☐ Yes ☐ No

If YES, will the subdivider make reasonable arrangements to assure the following with respect to each component site?

- 1) That a purchaser has contractual or membership rights to use each component site, and that if a component site is or may become subject to a blanket encumbrance, that the blanket encumbrance is or will be subordinate to these rights? ☐ Yes ☐ No
- 2) Adequate provisions exist for lien-free completion of all on-site and off-site improvements? ☐ Yes ☐ No
- 3) That, on an annual basis, the sum of the nights which time-share interest owners are entitled to use does not exceed the number of nights available for use by those time-share interest owners? ☐ Yes ☐ No
- 4) A mechanism exists to assure reasonable maintenance and operation of the component site? ☐ Yes ☐ No
- 5) Adequate provisions exist for funding the costs of operation and maintenance of the component sites, including reserves, if required, in compliance with the laws of the situs state of the component site? ☐ Yes ☐ No
- 6) Each component site is in compliance with the requirements of the situs state applicable to the qualification and sale of time-share interests in the component site? ☐ Yes ☐ No

If any answer to 24 A1–6 above is NO, provide an explanation.

Pursuant to Section 11018.1(d) of the Business and Professions Code, the following disclosure is required to be provided to the purchaser of an interest in a single-site time-share associated with other component site in 10-point bold typeface prior to the execution of a binding contract.

Notice: You are purchasing an interest in a single-site time-share project only. This means that you have no guaranteed right to reserve or to use a site other than this one, which is the only site that has been qualified by the Department of Real Estate. Your ability to reserve or use another site's accommodations is limited to the availability of accommodations at that site *after* persons with higher priority have first made reservations. In addition, owners of time-share interests in the other sites will have reservation rights that may affect your ability to acquire reservations in this single-site. Further, there is *no assurance* that sites currently affiliated with this single-site time-share project will continue to be available for use in the future. Your primary expectation with respect to your purchase should be your right and ability to use your interest at this site. Your right to use other sites is *speculative* only, however, your membership in the program and payment of the related fees are *mandatory*.

I hereby acknowledge that I have read this notice regarding California Department of Real Estate public report or permit file number _____.



PURCHASER'S SIGNATURE

DATE

ADDRESS

SUBDIVIDER OR AGENT

- B. Is the offering a “single-site time-share project” as defined in B&P Code Section 11003.5(h) that will *not* be affiliated with component sites at the time the public report is issued, but *may be* affiliated with components sites under a contractual or membership program through a reservation system in the future?

☐ Yes ☐ No

If yes, the future affiliation with component sites will be a material change to the time-share offering. The public report must be amended prior to the implementing the material change. The following disclosure on the potential affiliation with component sites will appear in the public report.

Notice: You are purchasing an interest in a single-site time-share project only. This means that you have no guaranteed right to reserve or to use a site other than this one, which is the only site that has been qualified by the Department of Real Estate. The subdivider has indicated this single-site time-share project may become affiliated with other time-share projects in the future, that may or may not be qualified for sale in California.

If affiliations with other time-share project are effectuated in the future, your ability to reserve or use another site’s accommodations will likely be limited to the availability of accommodations at that site *after* persons with higher priority have first made reservations. In addition, owners of time-share interests in the other sites may have reservation rights that may affect your ability to acquire reservations in this single-site. However there is *no assurance* that component sites will be available for use in the future. Your primary expectation with respect to your purchase should be your right and ability to use your interest at this site. Your right to use other sites is *speculative* only, however, your membership in the program and payment of the related fees are *mandatory*.

24. MARKETING AND PROMOTIONS

- A. Indicate which of the following inducements or representations will be a part of the subdivision offering. For each YES answer *submit* details, copies of all documents proposed to be used and proposed financial arrangements in order to carry out any programs, where applicable. (Also include copies in the duplicate budget package.)

❖ Respond NA only if the applicant has current DRE approval for the subject matter and there have been no changes. For each NA answer, submit an attachment explaining the referenced subject matter of the offering and the date of DRE approval.

- 1) Investment merit or appreciation potential of lots, parcels, or units? ☐ Yes ☐ No ☐ NA

If YES, *submit* facts and statistics in the form of an economic feasibility report or similar research, appraisal report and samples of proposed investment representations in support of the proposed representations.

- 2) Money back guarantee or repurchase warranty? ☐ Yes ☐ No ☐ NA

- 3) Construction or equipment guarantees? ☐ Yes ☐ No ☐ NA

- 4) Membership in club or association other than: 1) homeowners association, 2) an exchange program listed in response to item 21A above, or 3) membership which is an incidental benefit listed in response to item 22A above. ☐ Yes ☐ No ☐ NA

- 5) The use or availability for use of commercial or recreational facilities (whether within or outside the boundaries of the subdivision) which will be owned or controlled by an association of subdivision lot owners. ☐ Yes ☐ No ☐ NA

If YES, furnish complete details by attaching RE 624A.

6) Program or arrangements for resale by purchasers of subdivision interests? ☐ Yes ☐ No ☐ NA

7) Program or plan for leasing or renting of subdivision interests on behalf of non-occupying owners? ☐ Yes ☐ No ☐ NA

8) Other inducements or representations that will be part of the sales program? ☐ Yes ☐ No ☐ NA

B. Will your sales program include representations in regard to the use of recreational areas and/or facilities which are not owned by the association of owners (excluding benefits due to exchange programs and incidental benefits)? ☐ Yes ☐ No ☐ NA

If YES, attach an explanation of the conditions of use, such as memberships, conditions and fees, or other charges.

- ❖ All advertising must conform to Commissioner's Regulation 2799.1 and §17537–17539 of the California B&P Code. Also, insofar as applicable, it must conform to the provisions of Commissioner's Regulation 2848.

25. PURCHASE MONEY HANDLING

A. Is there a blanket encumbrance now or will there be at the time of sale or lease? ☐ Yes ☐ No ☐ NA

B. Will all money of purchaser, lessee or contract vendee be impounded in a neutral escrow or trust account (see note below) until either proper releases are obtained from all blanket encumbrances, if any, or the holder of the deed of trust has executed a release agreement per Regulation 2791.1(b)(2)(A) which agreement has been deposited with escrow and each buyer has been provided with a policy of title insurance insuring against loss by reason of the deed of trust and until legal title, or leasehold interest, as applicable, is conveyed to the purchaser, lessee, or vendee (§11013.2(a), 11013.2(d) or 11013.4(a) of the B&P Code)? (Check code section.) ☐ Yes ☐ No ☐ NA
☐ §11013.2a, 11013.2d
☐ §11013.4a

1) If YES, list where purchase money will be impounded.

NAME		TELEPHONE NUMBER
ADDRESS (POST OFFICE BOXES ARE NOT ACCEPTABLE.)		
CITY	STATE	ZIP CODE

- ❖ A trust account may only be used if there is not a blanket encumbrance. It may not be used as compliance with §11013.2a of the B&P Code.

2) If NO, will a bond (RE 600), blanket bond (RE 600A), letter of credit (RE 600J), or set-aside (RE 600I) be submitted (or has one been submitted) to the State of California pursuant to §11013.2(c), 11013.2(d) or 11013.4(b) of the B&P Code? (Check code section.) ☐ Yes ☐ No ☐ NA
☐ §11013.2c, 11013.2d
☐ §11013.4b

If RE 600A bond, letter of credit, or set-aside is already on file, mark NA, check code section, and complete the following:

SECURITY NUMBER	AMOUNT	TYPE
PRINCIPAL		<input type="checkbox"/> RE 600A
ISSUER		<input type="checkbox"/> RE 600I
		<input type="checkbox"/> RE 600J

a) If YES, submit original of security and instructions to depository (RE 600H) unless RE 600A bond, letter of credit or set-aside is already on file.

b) Will funds received in excess of the security be impounded in a neutral escrow or trust account, pursuant to § 11013.2(a), 11013.2(d) or 11013.4(a) of the B&P Code? (Check code section.)

☐ Yes ☐ No ☐ NA
☐ § 11013.2a, 11013.2d
☐ § 11013.4a

(1) If YES, complete the following information.

NAME		<input type="checkbox"/> ESCROW <input type="checkbox"/> TRUST ACCOUNT
ADDRESS (POST OFFICE BOX IS NOT ACCEPTABLE.)		TELEPHONE NUMBER
CITY	STATE	ZIP CODE

(2) If NO, is some other arrangement proposed? ☐ Yes ☐ No ☐ NA

If YES, explain fully on a separate sheet.

C. Does the owner, subdivider or agent have an interest equal to, or greater than, 5% ownership in the entity shown in item 22.0B(1) or (2) above? ☐ Yes ☐ No

26. REAL PROPERTY SALES CONTRACTS

A. Do you intend to use real property sales contracts with installment payments (also known as contracts of sale or land contracts), other than Cal-Vet loans? ☐ Yes ☐ No ☐ NA

Respond NA if previously approved and there are no changes.

If YES, attach form to be used. Fill in blanks as a sample or attach copy of paragraphs to be inserted.

- ❖ Refer to Section 10029 of the California B&P Code. Section 11200 of the B&P Code provides such contracts shall clearly set forth the legal description, encumbrances outstanding at the date of the sales contract, and the terms of the contract. Section 2985.5 of the Civil Code provides that every real property sales contract shall contain a statement of: (a) the number of years required to complete payment in accordance with the terms of the contract and (b) the basis upon which the tax estimate is made.

27. SUBDIVIDER INFORMATION

A. If new applicant, give names and addresses of partners of any joint venture, partnership and/or other individuals with a substantial financial interest (attach lists on separate sheet if necessary) in the time-share interests owned.

NAME		TELEPHONE NUMBER
ADDRESS		
CITY	STATE	ZIP CODE
NAME		TELEPHONE NUMBER
ADDRESS		
CITY	STATE	ZIP CODE

NAME		TELEPHONE NUMBER
ADDRESS		
CITY	STATE	ZIP CODE

B. Agent of owner, if any.

NAME		TELEPHONE NUMBER
ADDRESS		
CITY	STATE	ZIP CODE

C. If new applicant, is subdivider a California resident? ☐ Yes ☐ No1) Is subdivider a California resident? ☐ Yes ☐ No

If a nonresident of the State of California, *submit* an irrevocable consent (original and one copy) that if any action is commenced against the subdivider in the State of California and personal service of process upon the entity or individual cannot be made in this State, a valid service may be made by delivering the Consent To Service of Process (RE 608's) to the California Secretary of State.

2) Is the subdivider a corporation or limited liability company organized under the laws of a state other than California? ☐ Yes ☐ No

If YES, *submit* a Certificate of Status for the foreign entity to transact business in California, issued by the California Secretary of State.

D. Documents to be furnished to purchasers in addition to final subdivision public report/permit (New applicants only)

1) Will the subdivider provide the following documents to purchasers prior to close of escrow? ☐ Yes ☐ Noa) Declaration of dedication ☐ Yes ☐ Nob) Bylaws and articles of incorporation of the association ☐ Yes ☐ Noc) Rules and regulations ☐ Yes ☐ Nod) Time-share operating budget ☐ Yes ☐ Noe) Management agreement ☐ Yes ☐ Nof) Copies of any leases ☐ Yes ☐ Nog) Management documents of any common interest subdivision to which the time-share instruments are subordinated. ☐ Yes ☐ No

❖ If the subdivider decides not to furnish the above documents, the Department of Real Estate will insert a "special note" in the public report/permit dealing with the materiality of such information.

E. New Applicants — Out-of-State Offerings Only

Submit executed RE 626D and 656A.

28. GOVERNING AGENCY REQUIREMENTS*Out-of-State Offerings Only — New Applicants*

- A. Does the city, county, state or country in which the subdivision is located require a filing or registration of your offering? ☐ Yes ☐ No

If YES, submit a copy of any authorization to sell, lease, or advertise, or evidence from appropriate authorities that no such authorization is required.

- B. Has the city, county, state or country in which the subdivision is located, denied or disapproved your offering? ☐ Yes ☐ No

If YES, submit a copy of denial or explain on separate sheet.

CERTIFICATION

I/We hereby certify under penalty of perjury that the information contained in this form constitutes my/our Notice of Intention to sell or lease time-share interests, and that the information, together with any documents submitted herewith, are full, true, complete and correct; and that I/we am/are the owner(s) of the interests herein described, or will be the owner(s) at the time interests are offered for sale or lease to the general public — or that I am the agent authorized by such person(s) to complete this statement.

- Certification signed outside the State of California must be acknowledged by a Notary Public.
- Prior to signing, review all answers submitted. Errors or omissions must be corrected and initialed by the subdivider(s).
- If the subdivider is a corporation, limited liability company (LLC), partnership, etc., the individual(s) signing the certification must stipulate the capacity (e.g., president, manager, general partner, etc.) of the signer and an authorization to sign (e.g., a corporate resolution, LLC statement, partnership statement, etc.) must be submitted.
- If an agent will be submitting documents to Department of Real Estate on behalf of the subdivider, the subdivider must provide written authorization to that effect.

SIGNATURE OF SUBDIVIDER ➤		DATE
PRINTED NAME OF SUBDIVIDER	CAPACITY	
NAME OF CORPORATION, LLC, PARTNERSHIP, ETC.		

SIGNATURE OF SUBDIVIDER ➤		DATE
PRINTED NAME OF SUBDIVIDER	CAPACITY	
NAME OF CORPORATION, LLC, PARTNERSHIP, ETC.		

BUSINESS ADDRESS		
CITY	COUNTY	STATE